

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

JEREMY V. PINSON,)	
)	
Plaintiff,)	
)	
vs.)	Case No. CIV-08-0198-F
)	
FRANK PORTER, et al.,)	
)	
Defendants.)	

ORDER

Magistrate Judge Gary M. Purcell's Report and Recommendation of April 29, 2008, is before the court. (Doc. no. 13.)


The Report recommends that plaintiff's claim in ground two of the Complaint of procedural due process deprivations in a disciplinary proceeding conducted at the Oklahoma County Detention Center (based on a misconduct report filed by Defendant Porter) be dismissed with prejudice as duplicative of the claim urged in plaintiff's previously-filed and pending § 1983 action. To the extent plaintiff's Motion for Joinder of Actions (doc. no. 10) seeks the joinder of plaintiff's remaining claims, the Report also recommends that plaintiff's Motion for Joinder of Actions be denied.

The Report advised plaintiff of his right to make timely objection and further advised that failure to object waives the right to appellate review of both factual and legal issues contained in the Report. No objection to the Report has been filed, and no request for an extension of time within which to object has been filed.

After review, and with no objection having been filed, the court **ACCEPTS**, **ADOPTS**, and **AFFIRMS** the Report. Accordingly, plaintiff's claim in ground two of the Complaint of procedural due process deprivations in a disciplinary proceeding conducted at the Oklahoma County Detention Center (based on a misconduct report

filed by Defendant Porter) is **DISMISSED** with prejudice as duplicative of the claim urged in plaintiff's previously-filed, pending §1983 action. To the extent plaintiff's Motion for Joinder of Actions (doc. no. 10) seeks the joinder of plaintiff's remaining claims, the motion is **DENIED**. This action remains referred to the magistrate judge.

Dated this 29th day of May, 2008.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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